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SOUTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF IOWA

UNITED STATES OF AMERICA, )  
 ) Criminal No. 1:15-cr-048  
 )  
 v. ) INDICTMENT  
 )  
 )  
 BEAU BRANDON CROGHAN, ) T. 18 U.S.C. § 2252A(a)(5)(B)  
 )  
 Defendant. )

**THE GRAND JURY CHARGES:**

**DEFINITIONS**

The “Internet” is a global network of computers and other electronic devices that communicate with each other. Due to the structure of the Internet, connections between devices on the Internet often cross state and international borders, even when the devices communicating with each other are in the same state.

A “website” consists of textual pages of information and associated graphic images. The textual information is stored in a specific format known as Hyper-Text Mark-up Language (HTML) and is transmitted from web servers to various web clients via Hyper-Text Transport Protocol (HTTP).

“Computer server” or “Server,” as used herein, is a computer that is attached to a dedicated network and serves many users. A web server, for example, is a computer which hosts the data associated with a website. That web server receives requests from a user and delivers information from the server to the user’s computer via the Internet.

A “social networking service” is an online service, platform, or website that focuses on

facilitating the building of social networks or social relations among people who, for example, share interests, activities, backgrounds, or real-life connections. A social network service consists of a representation of each user (often a profile), his/her social links, and a variety of additional services, which may include the ability to create public and private groups or networks, as well as image and video sharing. Most social network services are web-based and provide means for users to interact over the Internet, such as e-mail, instant messaging, or bulletin-board postings. Social networking sites allow users to share ideas, activities, events, and interests within their individual networks. Examples of widely used social networking services include Facebook, Google+, and Twitter.

“Internet Service Providers” (ISPs), as used herein, are commercial organizations that are in business to provide individuals and businesses access to the Internet. ISPs provide a range of functions for their customers including access to the Internet, web hosting, e-mail, remote storage, and co-location of computers and other communications equipment. ISPs can offer a range of options in providing access to the Internet including telephone based dial-up, broadband based access via digital subscriber line (DSL) or cable television, dedicated circuits, or satellite based subscription. ISPs typically charge a fee based upon the type of connection and volume of data, called bandwidth, which the connection supports. Many ISPs assign each subscriber an account name – a user name or screen name, an "e-mail address," an e-mail mailbox, and a personal password selected by the subscriber. By using a computer equipped with a modem, the subscriber can establish communication with an ISP over a telephone line, through a cable system or via satellite, and can access the Internet by using his or her account name and personal password.

“Internet Protocol address” or “IP address” refers to a unique number used by a computer to access the Internet. IP addresses can be dynamic, meaning that the Internet Service Provider (ISP) assigns a different unique number to a computer every time it accesses the Internet. IP addresses might also be static, if an ISP assigns a user’s computer a particular IP address which is used each time the computer accesses the Internet. IP addresses are also used by computer servers, including web servers, to communicate with other computers.

#### **DESCRIPTION OF “WEBSITE A”**

“Website A,” whose name is known to the Grand Jury, was a child pornography online bulletin board, whose primary purpose was the advertisement and distribution of child pornography and the discussion of matters pertinent to the sexual abuse of children. “Website A” operated from August of 2014 until February of 2015. On February 20, 2015, the computer server hosting “Website A” was seized from a web-hosting facility in the United States but outside the Southern District of Iowa. The website remained operating, from February 20, 2015, until March 4, 2015, at which time “Website A” ceased to operate. Between February 20, 2015, and March 4, 2015, law enforcement agents acting pursuant to an order of a United States District Court monitored electronic communications of users of “Website A.” Before and after its seizure by law enforcement, law enforcement agents viewed, examined and documented the contents of “Website A,” which is described below.

The name of “Website A” contained a location where very young children play and showed an image of two prepubescent females, partially clothed, with their legs spread apart and their genitalia covered by underwear. The rules of the site, required users to register with a username, a password and an email address. The home page of “Website A” warned users that an

email address was only required as a function of the bulletin board software and specifically cautioned users that they should not provide a real email address for security purposes.

“Website A” contained a message service where users could post messages and chat with one another either in groups or privately. The chats and posted messages mainly concerned interest in child pornography, how to avoid detection by law enforcement and where to find minors to participate in sex acts.

“Website A” contained numerous sub-sections with names consistent with child pornography. “Website A” contained more than 100,000 images, including videos, of child pornography, many of which were images of prepubescent minors.

“Website A” users utilized advanced technological means in order to undermine law enforcement’s attempts to identify them. For example, “Website A” was technically designed to facilitate anonymous communication by its users. Only a user who had installed special software on the user’s computer could access “Website A.” That software enabled the communications of “Website A” users to be routed through multiple computers in order to prevent communications from being traced back to the users.

#### **GENERAL INFORMATION RELATING TO COUNT 1**

At all times relevant to Count 1 of this Indictment, Cox Communication, an Internet Service Provider, provided internet access from 2210 Avenue A, Council Bluffs, Iowa.

At all times relevant to Count 1 of the Indictment, 2210 Avenue A, Council Bluffs, Iowa was a single family residence.

That an account was established on “Website A” on or about September 27, 2014, using a user name of “beau2358” and an email address of “cbbarscene@gmail.com.”

That on or about September 27, 2015, user name "beau2358" established a password of "gargoyle62" to access "Website A".

That in February and March of 2015, a user with the user name of "beau2358" accessed "Website A".

**Count 1**

**(Access or Attempt to Access Child Pornography)**

On or between September 27, 2014, up to and including March 4, 2015, in the Southern District of Iowa and elsewhere, the defendant, BEAU BRANDON CROGHAN, knowingly accessed and attempted to access, with intent to view, a computer disk and any other material that contained an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that has been mailed, and shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, such image of child pornography involving an prepubescent and minor who had not attained 12 years of age.

This is a violation of Title 18, United States Code, Sections 2252A(a)(5)(B).

**A TRUE BILL.**

/S/  
FOREPERSON

Kevin E. VanderSchel  
Acting United States Attorney

By: S/Richard E. Rothrock  
Richard E. Rothrock  
Assistant United States Attorney